

**PROCEEDINGS OF THE BROWN COUNTY
CRIMINAL JUSTICE COORDINATING BOARD**

Pursuant to Section 19.84 Wisconsin Statutes, a regular and budget meeting of the **Brown County Criminal Justice Coordinating Board** was held on Tuesday, October 27, 2009, in the Truttman Room of the Law Enforcement Center – 300 East Walnut Street, Green Bay.

Present: Judge Kendall Kelley, Supervisor Pat Evans, Supervisor Andy Williams, Sheriff Dennis Kocken, Jeffrey Cano, Tim McNulty, Jed Neuman, Jayme Sellen, Lisa Wilson, District Attorney John Zakowski.

Excused: Jim Arts, Don Hein, Jack Jadin, Jeffrey Jazgar

Citizen Reps: Dr. Gerald Wellens.

1. **Call Meeting to Order:**

The meeting was called to order by Chair Judge Kendall Kelley at 3:41p.m.

2. **Approve/Modify Agenda:**

Motion made by Supervisor Evans and seconded by Supervisor Williams to approve. Vote taken. MOTION APPROVED UNANIMOUSLY.

District Attorney Zakowski arrived at 3:45 p.m.

3. **Approve/Modify Minutes of September 29, 2009:**

Dr. Wellens stated that the statistics under item #5 were different then what was presented by D.A. Zakowski at last months meeting. He explained that when he brought up that the numbers were disproportionate in terms of race there were specific races that were left out. He believed Native Americans and Asians were not listed and noted that the figures in the minutes for Hispanics and Blacks only came to 34%. He felt that those numbers were not helpful to him in terms of what was being discussed.

Chair Kelley responded that the reference to the statistical numbers, he felt the handout that was received was not statistical and that D.A. Zakowski had orally presented the information that was noted in the minutes.

D.A. Zakowski stated that those were the statistics that their intern had put together and there would be no reason that the numbers were not accurate because they were done hand by hand. Zakowski questioned if he pulled numbers from a month or two to discuss and that was what was noted in the minutes.

Evans noted that the numbers in the minutes were numbers that they just looked over as a committee.

Wellens stated then they are not complete and do not add up to the 100% and explained that that was just his point.

Motion made by Dr. Wellens and seconded by Supervisor Williams to identify all the races in the minutes. Vote taken. MOTION APPROVED UNANIMOUSLY.

Motion made by Supervisor Evans and seconded by G. Wellens to approve as modified. Vote taken. MOTION APPROVED UNANIMOUSLY.

4. Report from the District Attorney Regarding Drug Prosecution (D.A. John Zakowski).

Zakowski stated he had Intern, Nicole Naze, subsequent to their last meeting, provide information showing how many offenders had past convictions per the request of the committee. Naze had put together handouts in which Zakowski provided (attached) re: 6 Month Summary of 2009 Drug Demographics, 6 Month Summary of Previous Convictions Count and 6 Month Summary of Birthplace by State.

Supervisor Williams questioned if the handout re: Previous Convictions Count, could be broken down by age to see at what age prior, pending and repeat offenders are coming back and what age the new offenders are coming in. Zakowski responded that he will have it broken down with age and race as well.

A brief discussion ensued with regards to the handout: 6 Month Summary of Birthplace by State. Zakowski stated he was unsure how much significance it had and that the greater concern was if drug offenders were moving in from another area. He stated the only way to tell is by their convictions in other counties which they have access to and is part of the general ledger. Chair Kelley stated that one of the popular perceptions is that some of the more serious drug cases, drug trafficking come either from Milwaukee, Cook County, or Chicago. In looking at these in terms of birth places it doesn't necessarily tell you a lot except there must have been some sort of connection at some point in their lives.

Chair Kelley questioned in terms of the totals put together, would that information be able to discern whether or not there seems to be ties, either prior convictions or multiple prior convictions. Zakowski responded that they do have convictions and drug convictions and they could go a step further and say where they are from. If they are from Cook County and Milwaukee they could be red flagged. Kelley stated that would be two additional projects to break down within the demographics of repeat drug offenders and also give a more accurate view as to where some of the offenders are coming from or if in fact they are from Brown County. Zakowski stated he will revise the info and bring it back in a nine month period vs. the six.

5. Community Drug Education Programs (D.A. John Zakowski).

Zakowski stated he may have more information to report but had not had a chance to look at it. He felt he would be able to review what drug education programs are out there and bring back info for discussion for next meeting.

Chair Kelley recapped on the discussion from last month's meeting regarding the possibilities of getting other statistics from the Clerk of Courts. He stated they were trying to get a sense of the relative commitment of resources to drug cases and get some ideas about the relative percentage of drug cases compared to other cases that would reflect court time. In that sense the relative volume of drug cases to the overall criminal caseload would be what they are looking for. It was indicated that what they needed was a list of all the drug statutes to be able to identify those.

Chair Kelley asked D.A. Zakowski what would be, from his perspective, be a meaningful way to break that down from the resources from his office that are required to used just looking at the relative finds of drug cases to other cases. Zakowski stated he looks at the trials and the number of felonies because there are not as many with sexual assaults but probably more preliminaries on drug cases than on a lot of other types of cases and that

necessitates some prep time and work time so that would be more time consuming. Zakowski stated he keeps all of his statistics yearly and can bring it in. They could then see what the State does and pattern an evaluation after what the State does. Further discussions ensued in regards to allocating resources among the D.A.'s office. Kelley stated it was more of a question of how much it was costing in terms of resources and how to answer that question if they were to bring that information to the County Board.

Zakowski responded that his thinking was really how many other referrals are there and how much more work needed to be done. They have three full time people working on nothing but drug cases and they are maxed out and the question is if they are able to keep up with the flow. He asked how many more resources are needed to keep up with what is out there. Kelley stated they would have to determine what that means in a relative sense. He encouraged Zakowski to think about how he does the analysis and how he might be able to provide from his perspective and they can go back and see what they can see in terms of a total number for all the courts.

Supervisor Williams questioned if the focus was on the D.A.'s office or the court system in general. Kelley stated they were going to deal with the court system part but he was interested in the D.A.'s office because they live with the reality and have the insides. Williams felt that what would be helpful to him in identifying resource allocations time spent in court would be to look at how many times each case had touched the courts. For example, bad checks take typically two hearings and are in and out. The D.A. office could note which case had a prelim that day so it can be seen how many drug cases had a prelim.

Motion made by Supervisor Evans and seconded by J. Neuman to receive and place on file items 4 & 5. Vote taken. MOTION APPROVED UNANIMOUSLY.

6. **Such Other Matters as Authorized by Law:** None

7. **Adjourn:**

Motion made by Supervisor Evans and seconded by J. Zakowski to adjourn at 4:20 p.m. Vote taken. MOTION APPROVED UNANIMOUSLY.

Respectfully submitted,

Alicia A. Loehlein
Recording Secretary

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Present: Judge Kendall Kelley - Chair, Jeffrey Cano, Pat Evans, Jack Jadin, Tim McNulty, Jed Neuman, Jayme Sellen, Lisa Wilson, John Zakowski.

Excused: Jim Arts, Don Hein, Dennis Kocken.

Citizen Reps: Jeffrey Jazgar, Dr. Gerald Wellens.

Also Present: Nicole Naze, News Media.

1. Call Meeting to Order:

The meeting was called to order by Chair Judge Kendall Kelley at 3:37 p.m.

2. Approve/Modify Agenda:

Motion made by Supervisor Evans and seconded by J. Neuman to approve. Vote taken. MOTION APPROVED UNANIMOUSLY.

3. Approve/Modify Minutes of May 26, 2009:

Motion made by J. Zakowski and seconded by J. Neuman to approve. Vote taken. MOTION APPROVED UNANIMOUSLY.

4. Status of Board Vacancies (County Executive Tom Hinz):

Executive Tom Hinz was not present. Jayme Sellen, Legislative Assistant, stated that there were two vacancies; and she introduced Lisa Wilson and Tim McNulty as the persons filling those two vacancies.

Motion made by Supervisor Evans and seconded by G. Wellens to receive and place on file. Vote taken. MOTION APPROVED UNANIMOUSLY.

5. Report from the District Attorney Regarding Drug Prosecution (D.A. John Zakowski):

D.A. Zakowski presented the 6-month summary of statistics for 2009 (copy attached). He introduced Nicole Naze, Intern, and stated that she has put a lot of time and effort into compiling this information.

D.A. Zakowski reviewed the statistics and noted the following 6-month percentages: Male—76.4% and Female—23.6%; and White—53.8%; Black—22.5%; Hispanic—10.3%. (As per the October 27, 2009, Criminal Justice Coordinating Board Meeting, the additional percentages are being included: Asian—2.7%; Indian—9.2%; and Undetermined—1.5%.) He offered the August statistics as follows: Male—57 and Female—17; White—39, Black—14, Hispanic—9, Native American—10 and Undetermined—2; Previous Convictions Yes—48 and No—20; and by age 18 to 24—32; 25 to 34—22; 35 to 44—10; 45 to 54—8; and 55 to 64—1. He stated that this shows that the trends reflected in the first 6 months' statistics continue into August.

6 Month Summary of 2009 Drug Demographics

Age

17 & younger	18-24	25-34	35-44	45-54	55-64	65 or older
6	209	192	99	47	7	0

Gender

Male	Female					
422	130					

Race

W	B	H	A	I	U	
297	124	57	15	51	8	

Attorney Assigned

WWL		BL		ARP		Other
222		156		162		12

Previous Convictions

Yes			No			Pending
270			143			38
109						

6 Month Summary of Previous Convictions Count

109	109	
Other Convictions		
270	270	
Drug Convictions		
38		
Yes	No	Pending

***The category labeled "pending" indicates that the defendant does not have any prior convictions, as determined by Wisconsin Circuit Records, but that he/she does have criminal charges pending in Brown County or other counties in Wisconsin.

6 Month Summary of Birthplace by State

